

CERTIFICATE OF TRANSMISSION BY EFS WEB

I hereby certify that this correspondence is being transmitted via EFS Web Filing to: Mail Stop **Amendment**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

/Dina M. Clark/  
Name: Dina M. Clark

Date: March 5, 2009

**Attorney Docket: 101384-22**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: KIRK EDWARD VANDEZANDE  
USSN.: 10/629,380  
FILING DATE: July 29, 2003  
FOR: HIERARCHICAL OPTIMIZATION FOR PROCEDURAL EFFECTIVENESS  
ART UNIT: 2913  
EXAMINER: Shubo Zhou  
CUSTOMER NO.: 27,388

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NON-COMPLIANT AMENDMENT**

SIR:

In response to the Notice of Non-Compliant Amendment pursuant to 37 C.F.R. §1.121 dated February 26, 2009, the applicant hereby submits a Substitute Amendment, whereby the non-compliant portions of claim 2 and claim 11 has been corrected.

**Amendments to the Claims** are reflected in the listings of claims which begin on page 2 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.